Mooring Working Group Minutes
September 23, 2026, 4:00-7:00pm
IF&W Headquarters, Augusta

Attendees:

In-Persons Working Group Members:

Christl Theriault, IF&W, Legislative Liaison, Facilitator
Tim Thurston, DACF, Navigational Aid Supervisor
Heather Seiders, DACF, Outdoor Recreation Planner – Boating Facilities Program
John Noll, DACF, Director - Submerged Lands Program
Bob Gardner, Owner of Great Pond Marina, Belgrade
Shawn Hebert, Treasurer, Maine Harbor Masters Association
Andy Wess, Winthrop Town Council
Lt. Jason Luce, IFW, Maine Warden Service, Boating Law Administrator
Sgt. Carleton Richardson, IF&W, Maine Warden Service, Boating Law Assistant
Sam Minervino, Long Beach Marina Owner
Rebecca Lambert, Maine Municipal Association
Ben Goodsoe, Acting Executive Director LUPC
Susan Gallo, Maine Lakes Executive Director
Brookelyn Tilton, Acting Senior Planner at LUPC
Marc Restuccia, Toddy Pond Lake Association
Diano Circo, IFW, Chief Planner

Remote Attendees:

Tashia Pinkham, Standish Town Manager (attended remotely)

Non-Member:

Anja Parlin Submerged Lands Program (in-person)
Andy Cutko – DACF, Bureau of Parks and Lands Director (attended remotely)

Meeting opened with: The facilitator proposing to cancel meeting scheduled for September 29th. Focus on Report Back to the legislature and finalizing language. Need to consider time it will take to generate and talk about the draft report. Send draft of report language by October 5.

Look at resolve language and what the obligations are to set the tone for the report.
The duties of the working group were to identify the issues related to moorings on inland waters, both at a statewide and local level, and identify any potential solutions. Additionally required to identify the impacts and opportunities of moorings related to public safety, the environment, property ownership, recreation, commerce, fish and wildlife and exploring how other states manage moorings.

The report back, requires presenting a report to the Joint Standing Committee on Inland Fisheries and Wildlife by November 4th, with the findings and conclusions of the working group, including any recommended legislation.

Goal to give a high-level overview of the working group's efforts, the survey, and the results that came out of that, and how that sort of crafted our path towards proposals that most of us support.

Areas of consensus from the group during this meeting included:

- Agreeing they would like to reconvene if the Legislature supports the proposals to help the agencies and municipalities work on the implementation details.
- A comment was made that if this was done right there should be no need for any grandfathering and all agreed they didn't want to allow grandfathering of moorings.
- The group supported a phased in approach understanding it would take a lot of work to get the program underway, with some thought about addressing the Sebago Lake Region first and hiring some part-time/contract staff during the implementation phase.
- Submerged Lands Program within DACF was the right location to house this program but statute would need to be changed to give SLP authority over nonsubmerged lands for the purpose of permitting moorings. The group also agreed that swim lines and ski-courses should be permitted under the SLP.
- They felt residential moorings should be prohibited from being used for any commercial purposes.

Timelines included on back of Agenda:
Monday, October 5 – deadline to draft a report back and send it to whole group for review
Wednesday, October 14 – deadline to provide comments on report back
Monday, October 19 – deadline to consider/incorporate edits and share with Administration
Monday, October 26 – deadline to receive comments from Administration
Wednesday, November 4 - deadline to send report back to IFW legislative committee

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Subcommittee Presentations: Presented proposed findings followed by brief comment periods:

Subcommittee: Authority

Presented by: Ben Goodsoe

The subcommittee came up with a series of concepts, which are outlined in the draft notes document Appendix B, Authority Subcommittee Notes. (The group reviewed the specific language in Appendix B during the presentation; the notes below capture the discussion.)

The overall concept is that the state would have authority generally, but municipalities could opt in and adopt an ordinance, therefore assuming local authority. Towns could have their own permitting program. The concept also includes some resources that would be available to municipalities that might want to opt in, such as a funding program to help with startup costs or capital improvements. The state would also be responsible for maintaining a model ordinance and providing informational materials.

Existing statutes that may be implicated: Title 38, Title 12, Title 30-A,

A purpose statement should be required, and include three parts:
a) uphold and protect public trust rights;
b)
oversee the placement and management of individual moorings and mooring fields; and c) a value statement that the placement and use of moorings on inland waters by individuals, property owners, or other entities **is a privilege, not a right.**

The state would have the authority to issue permits and collect fees for individual, private moorings and mooring fields in accordance with rules that it would adopt. The state's rules would apply in places without a local ordinance and for mooring fields. Municipal ordinances would apply to individual, private moorings.
Mechanisms for Municipal Ordinance Adoption and the Transfer of Authority**:**
Considering two different models:

1. An approach similar to how the state mandatory shoreland zoning ordinance model works, in which the state makes a consistency finding that a town's ordinance is consistent with the model ordinance; or
2. Adopt a model similar to how the fireworks ordinances operate. There's some customization that a municipality can do, but the ordinance is relatively standard language, and then there's a filing requirement with the state. This has less oversight by the state.

The State would be able to hire staff and purchase equipment to implement the new regulatory framework.

The state would create, maintain, and make available educational materials or information covering safety or other relevant topics, and also informational materials for municipalities that are seeking to assume local authority.

The state would have responsibility to create, maintain, and make available a model ordinance.

The State would have the authority to create and administer a funding program, capitalized by mooring permit application fees, available to municipalities, multi-municipal regions, or county governments seeking to adopt a local ordinance. So, for example, a funding program could provide startup funds to hire a harbor master and get the permitting system in place.

Towns that opt in would be responsible for issuing permits, collecting fees, and enforcing their rules once an ordinance is adopted and the permitting program is running. They would have official standing to review and provide comments to DACF when issuing permits for mooring fields within town boundaries.

The State would retain the authority to permit mooring fields. Towns would have the authority to permit individual private moorings within the fields, but not the designation of the field itself.

The State would have the ability to enforce its own laws and rules.

In the event that a local ordinance has been repealed or the permitting program has fallen apart for whatever reason, the state would reassume authority and implement its rules and permitting program.

Discussion on Unorganized Territories (UT) management of moorings. The group considered that the UT currently may have less issues/concerns related to moorings, but that could change in the future.
The group decided that the State should retain authority and management of the whole State including the UT. Overall, the system would be simpler and easier to understand, both for state entities issuing permits and enforcing the rules, and for private landowners or recreational users on lakes. It would be helpful to know exactly how many moorings we're talking about in the UT and statewide, especially as the legislature and executive branch consider what resources would be required to set up such a regulatory program.

Discussion of other States that have more comprehensive State programs. E.g. Washington State, which has a whole aquatics division that includes submerged lands, aquaculture, leasing permitting, etc.

Discussion about the cost and time for some Towns to appoint a Harbor Master. Opt-in approach has pros and cons because there're some towns that already have a permitting program in place, and it's all self-sustainable, and we don't want to interrupt that. On the other hand, some towns' permitting programs may not align well with the state's rules once adopted.

Suggestion to make sure that it is easy to enforce.

Subcommittee: Definitions

Presented by Sgt. Carleton Richardson

Referencing Appendix A,

The definitions

Anchoring: is to hold fast by way of anchor for a short period of time. (under 72 hours). This timeframe would cover a weekend or when a boat is disabled and needs to be moved.

Dock: removed moored and it should be amended in law to specify that swim floats/swim platforms are not considered docks, since there was still some confusion around that later in the discussion. e.g. "for swim platforms, see "Float.""

Float: to combine that with swim float, so with the swim float is a floating platform, aquatic structure, board, or anchored for the use of swimmers, personal recreation, or watercraft, not integrated with

connection with a dock, included mats, aqua floats, trampolines, wooden swim rafts.

Water parking facility: changed the wording to parking water access instead.

Marina: is adding a non-commercial use part of that definition to pick up those pieces.

Mooring field: any group of two or more moorings. Looking at doing four or more moorings instead of just two for discussion.

Mooring: Discussion on Mooring vs Docked. Moor to a mooring, remove other language. Discussion on 2 or more. Concern with private landowner renting out 2 or 3 moorings if they had applied for 5. Higher level of review required for more than 1 mooring to consider aspects such as use, boat size, parking on land for trailers, etc. Look at right, title and interest requirements, and setbacks to property lines. Remove Swim structures as confusing with swim lines done by Boating. Should include ski courses. Also, the mooring definition wording "or other fixed object or stationary point" would not exclude a shoreline anchor point or dock. Clarify "designed to be submerged/placed below the NHWM"?

Winter moored object: concern for snowmobilers, vs. finding moorings back in the springtime. Needs more discussion. food for thought/future discussion: mooring anchors in low water conditions are a hazard; mooring anchors in place long term gradually sink into the lake bed and become more secure (and more difficult to move, and cause more disturbance if removed); removing mooring anchors seasonally removes hazard risks but means more frequent disturbances to the lakebed.

Legal Mooring Location: suggested by Brookelyn to be defined as: "an area on a body of water in which a person has been permitted to place a mooring," discussion on "owner" part. Since it could be hard to ID the actual owner. Replace with vessel moored there. Since could also be moored at marina which would be owned by the Marina owner, not the boat owner. Discussion of 200-foot water safety zone. Some want it within but may not be feasible for all locations – needs discussion.

Water Safety Zone – Replace NHWM with "shoreline"; remove "or one third the distance..." part, as this is a separate rule, not part of the WSZ. Refer to other statutory definitions for consistency.

Add Mooring Bouy Definition- mooring buoy means a white ball with a blue stripe, which is attached to a mooring anchor. Refer to federal definition.

Add definition of **Shoreline:** the existing Navigational Aids rules define "Shoreline" as "The demarcation between land and water at any specific time. The shoreline will vary as the lake elevation fluctuates."

Add **Shorefront property** (check for consistency with other ME statutory definitions)

Subcommittee: Rules

Presented by Heather Seiders

Referencing Appendix D

Authority: Submerged lands would need to have added jurisdiction over non sub lands. Difference between State and Municipal authority.
Applicability: waters of the State
Effective Dates onboarding dates for the Towns, roll out
Availability Standard of rules
Severability
Amendments- ability for rule making and amendments
Definitions
Harbor Master Requirement for opt-in towns. Suggestions were to encourage towns to work together.
Mooring Registration; Rules
Mooring Field Regulations Rules, e.g. 40-foot watch circle for boats
Mooring Standards Rules, minimum tackle, inspections, etc. consider water depth 5-7 feet, numbering buoys to determine who the owner is more quickly. Add that cannot use old non-conforming anchors such as radiators or engine blocks etc. Consider environmental conditions. Be clear what is permitted.
Mooring Inspection.
Mooring Removal – definitions. addresses buoy/marker only; more discussion needed for situations where mooring anchor would/should be removed. Need to find balance between preventing "mooring graveyards" safety issues vs unnecessary lakebed disturbances.
Designation Mooring Zone to be worked out by the town at the local level, the State for mooring fields, conscientious of navigational channels, etc.
Abandonment: How towns could handle abandonment. Civil violation. Discussion on removal of old abandoned anchors vs. environmental considerations. Built in fee to the permit process to address this cost.
Trespassing: how to address others using your mooring. Violations. Emergency tie ups; trespassers must display owner contact information on their boat.
Enforcement, Fee schedules: Discussion options. Towns would go through own boards of appeals; State would seek AG's office. Title V Administrative Procedure Act lays out appeal process.

Additional discussion included Commercial moorings – This may be a separate heading. Require they are in a mooring field? If so, consider provisions for commercial marinas that have <5 moorings. What about a rental home/camp, can they include rental of a mooring? Does state have authority to tell people they can't rent out their personal moorings? Tiered approach listed above might solve that. "Generating revenue off of a mooring" is more specific than "commercial use" and would separate fishing guides from boat parking rentals.

Add fee schedule. This may include an upfront fee for removal.
Add Appeals process for denials of moorings or mooring field locations.

Subcommittee: Permitting

Presented by John Noll

Referencing Appendix C

Permitting: permitting of moorings should be required of everyone, including shore front landowners, most definitely mooring fields and marinas, and marinas are going to have a mooring field.

Standards: for tackle spacing, setbacks. So, for individual moorings, individual property owners or mooring fields, there should be RTI tying that mooring or that mooring field to the shore front somehow.

To the extent practical, the 200-foot water safety zone should be adhered to. But from a practical standpoint, that may not be possible. Individual, private mooring should not have to be lit, only the offshore bounds of a mooring field extending out beyond the WSZ should be lit. Light characteristics for this purpose are already defined in Nav Aids Rules.

If multiple moorings, neighbors should be able to provide input comments. Letters of no objection for surpassing own property line/littoral zone.

Mooring fields: Higher level of review due to larger size taking up water surface and water column. Town should be able to chime in on application, as well as interest groups, State agencies, & abutters. They will need to be surveyed, have engineered plans, & hearings processes, similar to DMR aquaculture leases.

Decal, issuance, replacement, renewal, and fee, all moorings should have identifying numbers.

Permits could be renewed annually.

There should be a rental fee for mooring fields, but undecided on whether it's paid by the individual, the marina, or the other kind of broader steward, sponsor, whatever you want to call it for that mooring field. There are standards, for the buoys, a blue stripe, reflective, & fee structure.

Phased town opt-in approach.
Transfer of moorings prohibited.

Permits should be non-transferable, but moorings could be transferred upon renewal. So, shore front homeowners who sell their house, would carry that permit for the year.
Moorings prohibited in certain places such as blocking fairways or channels, and boat access sites or ramps.

Owner responsible for removal, director can order removal at owner's expense and ensure compliance. State could hire private contractors or use state assets if possible, for non-compliance or abandonment.

Public and congregate mooring fields permit required.

Commercial businesses such as a marina, a campground, condo-like associations, maybe contingent on right title or interest to adjacent land. There was thought about where that could be a problem, where

you would have a field, but somehow you couldn't show RTI.

Applicant is responsible for obtaining insurance.

Process for approving mooring fields should require input from towns, state agencies, or jurisdiction.

Fee structure: this is a discussion that should be determined by a larger group with stakeholders affected for best clarity, through the rulemaking process with public input/comment.

Define boundary and setbacks to riparian owners and the water safety zone. Buoy types, boundary marker, signage, navigation lights.

Private moorings to be limited to **RTI** of applicant, setback requirements, etc. appeals, clear definitions on what type of decision can get appealed and procedure.

Permits must contain a liability clause from the issuing entity. Rulemaking, agency dependent.

Agencies that are affected may need to have their statutes changed to be consistent.

Definitions, of course, must be clear, specific, to include jurisdiction, process, approvals, exemptions, updates to municipal ordinances and rule or statutes.

Penalties, failure to register a mooring, failure to remove, enforcement, harbor master, warden service, code officers, state.

Abandoned and derelict moorings, funds, response. Likely civil offense may reach criminal after three convictions, determined by group.
Discussion on private vs commercial use of mooring. Should define or say that a personal mooring permit should only be used for personal purposes, not for any lease, rent, commercial use. E.g. If you're generating revenue from the mooring. Example discussed: if a guide owns a shorefront property but isn't renting the mooring so guide isn't generating revenue directly from the mooring it is just used for the business of guiding fishing or hunting it is not considered commercial or renting. However, if the guide were generating revenue from the mooring, the State could somehow limit that and perhaps it would be part of a tiered permit application process.

Closing Thoughts:

- Should get a rough idea about how many moorings there are across the state.
- Staffing considerations for the program, would need multiple staff, at least some temp people to get it up and running.
- Discussion on watershed districts, can 1 body of water surrounded by 4 towns come together to apply for a mooring field permit, or does it have to be each town applying individually.

- Focus on reviewing notes from subcommittees and comment by Friday.
- Remember why we are doing this. To protect Maine's Public trust rights!